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AMENDMENTS TO LB 426

1 1. Strike the original sections and insert the following
2 new sections:

3 "Section 1. The Nebraska Capital Construction Fund is
4 created. The fund shall consist of revenue and transfers credited
5 to the fund as authorized by law. Money shall be appropriated from
6 the fund to state agencies for capital construction projects as
7 determined by the Legislature. The fund shall be administered by
8 the State Treasurer as a multiple-agency-use fund and appropriated
9 to state agencies as determined by the Legislature. Any money in
10 the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 Sec. 2. The Low-Level Radioactive Waste Settlement Fund
14 is created. The State Treasurer shall use the fund to make
15 settlement payments in accordance with the Consent Judgment in the
16 case of Entergy Arkansas, Inc. et. al. v. State of Nebraska, Docket
17 No. 4:98CV3411. The fund shall receive revenue from fund transfers
18 as authorized by the Legislature and from fees, charges, and any
19 other revenue source specifically designated by the Legislature for
20 deposit in the fund. Any money in the fund available for
21 investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 3. The Superfund Cost Share Cash Fund is created.

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1 The Department of Environmental Quality shall remit grants and
2 gifts received by the department for purposes of providing cost
3 share for remediation of superfund sites to the State Treasurer for
4 credit to the fund. The department shall administer the Superfund
5 Cost Share Cash Fund to pay for nonfederal costs, including costs
6 for inkind services, required as cost share for remediation of
7 superfund sites. Any money in the fund available for investment
8 shall be invested by the state investment officer pursuant to the
9 Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 The State Treasurer shall transfer the balance of the
12 Department of Environmental Quality Superfund Cash Fund,
13 administratively created pursuant to section 81-1111.04, to the
14 Superfund Cost Share Cash Fund.

15 Sec. 4. The Nebraska State Fair Support and Improvement
16 Cash Fund is created. The fund shall be maintained in the state
17 accounting system as a cash fund. The State Treasurer shall credit
18 to the fund the disbursement of state lottery proceeds designated
19 for the state fair and matching funds from the most populous city
20 within the county in which the fair is located. The balance of any
21 fund that is administratively created to receive lottery proceeds
22 designated for the Nebraska State Fair and matching fund revenue
23 prior to the effective date of this act shall be transferred to the
24 Nebraska State Fair Support and Improvement Cash Fund on such date.
25 The Nebraska State Fair Support and Improvement Cash Fund shall be
26 expended by the Nebraska State Fair Board to provide support for
27 operating expenses and capital facility enhancements. Expenditures

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1 from the fund shall not be limited to the amount appropriated. Any
2 money in the fund available for investment shall be invested by the
3 state investment officer pursuant to the Nebraska Capital Expansion
4 Act and the Nebraska State Funds Investment Act.

5 Sec. 5. The Department of Revenue shall, on a quarterly
6 basis, provide to the most populous city within the county in which
7 the state fair is located, written notification of the amount
8 estimated by the department to equal ten percent of the lottery
9 revenue to be transferred to the Nebraska State Fair Support and
10 Improvement Cash Fund. The department shall provide a copy of the
11 written notification to the Department of Administrative Services.

12 Sec. 6. The most populous city within the county in
13 which the state fair is located shall remit quarterly payments to
14 the State Treasurer in amounts equal to the matching fund
15 requirement established by the Department of Revenue. The State
16 Treasurer shall deposit the matching funds in the Nebraska State
17 Fair Support and Improvement Cash Fund. The city shall provide
18 written notification to the Department of Administrative Services
19 regarding its compliance with the matching fund requirement. Upon
20 verification by the Department of Administrative Services that a
21 quarterly transfer of lottery proceeds to the Nebraska State Fair
22 Support and Improvement Cash Fund has been executed and that the
23 full amount of the matching funds requirement has been received
24 from the city, the Department of Administrative Services shall
25 authorize the expenditure of the fund by the Nebraska State Fair
26 Board. Matching fund requirements shall not apply to investment
27 income accruing to the fund and investment income may be expended

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1 by the board.

2 Sec. 7. The Nebraska State Fair Board shall, no later
3 than November 1 of each year, provide an annual report to the
4 Governor and the Legislature regarding the use of the Nebraska
5 State Fair Support and Improvement Cash Fund. The report shall
6 include (1) a detailed listing of how the proceeds of the fund were
7 expended in the prior fiscal year and (2) any distributions from
8 the fund that remain unexpended and on deposit in Nebraska State
9 Fair accounts.

10 Sec. 8. The Ferguson House Fund is created. The fund
11 shall be used by the Nebraska Environmental Trust Board only for
12 the operation, administration, maintenance, restoration, and
13 renovation of the Ferguson House and grounds. Revenue credited to
14 the fund may consist of rental or other income related to the
15 Ferguson House as well as gifts, grants, and bequests. Any money
16 in the fund available for investment shall be invested by the state
17 investment officer pursuant to the Nebraska Capital Expansion Act
18 and the Nebraska State Funds Investment Act.

19 Sec. 9. Section 47-632, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 47-632. The Community Corrections Uniform Data Analysis
22 Fund is created. The executive director of the Nebraska Commission
23 on Law Enforcement and Criminal Justice shall administer the fund
24 which shall consist of funds collected pursuant to section 47-633
25 and such other funds as the Legislature may direct. The fund shall
26 only be used to support operations relating to the implementation
27 and coordination of the uniform analysis of crime data pursuant to

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1 the Community Corrections Act. Any money in the fund available for
2 investment shall be invested by the state investment officer
3 pursuant to the Nebraska Capital Expansion Act and the Nebraska
4 State Funds Investment Act.

5 The State Treasurer shall transfer three hundred fifty
6 thousand dollars from the Community Corrections Uniform Data
7 Analysis Fund to the Nebraska Law Enforcement Training Center Cash
8 Fund within five days after July 1, 2005.

9 Sec. 10. Section 71-7611, Revised Statutes Supplement,
10 2004, is amended to read:

11 71-7611. (1) The Nebraska Health Care Cash Fund is
12 created. The State Treasurer shall transfer ~~fifty~~ fifty-two
13 million dollars annually no later than July 15 from the Nebraska
14 Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco
15 Settlement Trust Fund to the Nebraska Health Care Cash Fund. The
16 state investment officer upon consultation with the Nebraska
17 Investment Council shall advise the State Treasurer on the amounts
18 to be transferred from the Nebraska Medicaid Intergovernmental
19 Trust Fund and from the Nebraska Tobacco Settlement Trust Fund
20 under this section in order to sustain such transfers in
21 perpetuity. The state investment officer shall report to the
22 Legislature on or before October 1 of every even-numbered year on
23 the sustainability of such transfers.

24 (2) Any money in the Nebraska Health Care Cash Fund
25 available for investment shall be invested by the state investment
26 officer pursuant to the Nebraska Capital Expansion Act and the
27 Nebraska State Funds Investment Act.

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1 (3) The State Treasurer shall transfer two million
2 dollars from the Nebraska Health Care Cash Fund to the University
3 of Nebraska Medical Center Designated Cash Fund within fifteen days
4 after July 1, 2004.

5 ~~(4)~~ The State Treasurer shall transfer two million
6 dollars from the Nebraska Health Care Cash Fund to the University
7 of Nebraska Medical Center Designated Cash Fund within fifteen days
8 after July 1, 2005.

9 ~~(5)~~ (4) The State Treasurer shall transfer two million
10 dollars from the Nebraska Health Care Cash Fund to the University
11 of Nebraska Medical Center Designated Cash Fund within fifteen days
12 after July 1, 2006.

13 (5) The State Treasurer shall transfer one million nine
14 hundred thirty-nine thousand eight hundred sixty-three dollars from
15 the Nebraska Health Care Cash Fund to the Nebraska Capital
16 Construction Fund within five days after July 1, 2005.

17 (6) The State Treasurer shall transfer seven hundred
18 thousand dollars from the Nebraska Health Care Cash Fund to the
19 Nebraska Capital Construction Fund within five days after July 1,
20 2005.

21 Sec. 11. Section 72-816, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 72-816. (1) The Vacant Building and Excess Land Cash
24 Fund is created. The fund shall consist of proceeds credited to
25 the fund pursuant to sections 72-815 and 90-268. Except as
26 provided in sections 90-268 and 90-269, the fund shall be used to
27 pay for the maintenance of vacant state buildings and excess state

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1 land and for expenses related to the disposal of state buildings
2 and land referred to the Department of Administrative Services by
3 the committee pursuant to sections 72-811 to 72-818. The fund
4 shall be administered by the state building division of the
5 Department of Administrative Services. Any money in the fund
6 available for investment shall be invested by the state investment
7 officer pursuant to the Nebraska Capital Expansion Act and the
8 Nebraska State Funds Investment Act.

9 Funds may be transferred from the Vacant Building and
10 Excess Land Cash Fund to the General Fund at the direction of the
11 Legislature.

12 (2) If there are insufficient funds in the fund to enable
13 the division to fully implement the orders of the committee issued
14 pursuant to sections 72-811 to 72-818, the division shall implement
15 them in the order which most efficiently meets the purposes of such
16 sections.

17 (3) Funds appropriated to the Task Force for Building
18 Renewal shall not be used to carry out any of the purposes of such
19 sections (a) unless the building would otherwise qualify for the
20 use of such funds pursuant to the Deferred Building Renewal Act and
21 (b) except for any expenses incurred by the administrator of the
22 Task Force for Building Renewal in fulfilling his or her duties
23 under such sections.

24 (4) The State Treasurer shall transfer one million four
25 hundred three thousand dollars from the Vacant Building and Excess
26 Land Cash Fund to the Nebraska Capital Construction Fund within
27 five days after July 1, 2005.

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1 (5) The State Treasurer shall transfer seven hundred
2 eighty-one thousand dollars from the Vacant Building and Excess
3 Land Cash Fund to the Nebraska Capital Construction Fund within
4 five days after July 1, 2006.

5 Sec. 12. Section 81-1561, Revised Statutes Supplement,
6 2004, is amended to read:

7 81-1561. (1) The Tax Commissioner shall deduct and
8 withhold from the litter fee collected a fee sufficient to
9 reimburse himself or herself for the cost of collecting and
10 administering the litter fee and shall deposit such collection fee
11 in the Litter Fee Collection Fund which is hereby created. The
12 Litter Fee Collection Fund shall be appropriated to the Department
13 of Revenue. Any money in the Litter Fee Collection Fund available
14 for investment shall be invested by the state investment officer
15 pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 (2) The Tax Commissioner shall remit the balance of the
18 litter fee collections to the Department of Environmental Quality.
19 The department shall allocate and distribute funds from the
20 Nebraska Litter Reduction and Recycling Fund in percentage amounts
21 to be determined by the council on an annual basis, after a public
22 hearing on a date to be determined by the council, for the
23 following activities:

24 (a) Programs of public education, motivation, and
25 participation aimed at creating an ethic conducive to the reduction
26 of litter, establishing an attitude against littering and a desire
27 for a clean environment, and securing greater awareness of and

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- 1 compliance with antilitter laws. Such programs shall include:
- 2 (i) The distribution of informative materials to
3 elementary and secondary schools;
- 4 (ii) The purchase and erection of roadside signs;
- 5 (iii) The organization and operation of cleanup drives
6 conducted by local agencies and organizations using volunteer help;
- 7 (iv) Grants to state and local government units and
8 agencies and private organizations for developing and conducting
9 antilitter programs; and
- 10 (v) Any other public information method selected by the
11 department, including the use of media;
- 12 (b) Cleanup of public highways, waterways, recreation
13 lands, urban areas, and public places within the state, including,
14 but not limited to:
- 15 (i) Grants to cities and counties for payment of
16 personnel employed in the pickup of litter;
- 17 (ii) Grants for programs aimed at increasing the use of
18 youth and unemployed persons in seasonal and part-time litter
19 pickup programs and to establish work release and other programs to
20 carry out the purposes of the Nebraska Litter Reduction and
21 Recycling Act;
- 22 (iii) Grants to public and private agencies and persons
23 to conduct surveys of amounts and composition of litter and rates
24 of littering; and
- 25 (iv) Grants to public and private agencies and persons
26 for research and development in the fields of litter reduction,
27 removal, and disposal, including the evaluation of behavioral

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1 science techniques in litter control and the development of new
2 equipment, and to implement such research and development when
3 appropriate; and

4 (c) New or improved community recycling and source
5 separation programs, including, but not limited to:

6 (i) Expansion of existing and creation of new community
7 recycling centers;

8 (ii) Expansion of existing and creation of new source
9 separation programs;

10 (iii) Research and evaluation of markets for the
11 materials and products recovered in source separation and recycling
12 programs; and

13 (iv) Providing advice and assistance on matters relating
14 to recycling and source separation, including information and
15 consultation on available technology, operating procedures,
16 organizational arrangements, markets for materials and products
17 recovered in recycling and source separation, transportation
18 alternatives, and publicity techniques.

19 ~~(3) The State Treasurer shall transfer four hundred~~
20 ~~eighty-one thousand one hundred four dollars from the Nebraska~~
21 ~~Litter Reduction and Recycling Fund to the Department of~~
22 ~~Environmental Quality Superfund Cash Fund, as administratively~~
23 ~~created pursuant to section 81-1111.04, on or after July 1, 2003,~~
24 ~~but no later than July 10, 2003.~~

25 ~~(4) The State Treasurer shall transfer two hundred~~
26 ~~seventy-eight thousand nine hundred twenty-six dollars from the~~
27 ~~Nebraska Litter Reduction and Recycling Fund to the Livestock Waste~~

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1 ~~Management Cash Fund on or after July 1, 2003, but no later than~~
2 ~~July 10, 2003.~~

3 Sec. 13. Section 85-302, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 85-302. The members of the Board of Trustees of the
6 Nebraska State Colleges shall annually elect a president and vice
7 president from among their own number. The board shall constitute
8 a body corporate to be known as the Board of Trustees of the
9 Nebraska State Colleges, and as such may sue and be sued, and may
10 make and use a common seal and alter the same at its pleasure. The
11 board shall also select a secretary. The State Treasurer shall be
12 treasurer of the board by virtue of his or her office. A complete
13 and comprehensive annual audit shall be made of the books,
14 accounts, funds, records, and affairs of the board and each of the
15 state colleges.

16 Sec. 14. Section 85-316, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 85-316. All funds appropriated for the use and benefit
19 of the state colleges together with the income arising from the
20 lease and sale of endowment lands belonging to such colleges shall
21 be under the direction and control of the board of trustees,
22 subject to the provisions contained in this section, except that
23 each college may retain in its possession a sum not to exceed
24 ~~twenty-five~~ fifty thousand dollars out of which to make settlement
25 and equitable adjustments with students entitled thereto, to make
26 payments for day-to-day operations calling for immediate payment,
27 and to provide for contingencies. The State Treasurer shall pay

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1 out of the proper funds all warrants for money to be expended under
2 sections 85-301 to 85-318, such warrants to be drawn by the
3 Director of Administrative Services on certificates by the
4 president of the state college. All requests for payment or
5 reimbursement for mileage or other traveling expense shall be
6 audited and allowed on the basis of the provisions set forth in
7 sections 81-1174 to 81-1177. No expenditure for traveling expenses
8 to other states shall be authorized by the board for any college
9 employee unless approval for such trip is first granted by the
10 president or his or her designee. The request shall be submitted
11 to the president of such state college or his or her designee and
12 approved in writing by him or her.

13 Sec. 15. Original sections 47-632, 72-816, 85-302, and
14 85-316, Reissue Revised Statutes of Nebraska, and sections 71-7611
15 and 81-1561, Revised Statutes Supplement, 2004, are repealed.

16 Sec. 16. Since an emergency exists, this act takes
17 effect when passed and approved according to law.".